

When Every Word Counts ...

# MERCED WILD AND SCENIC RIVER Revised Comprehensive Management Plan and Supplemental Environmental Impact Statement

PUBLIC HEARING

AUGUST 19, 2004

MARIPOSA, CALIFORNIA

REPORTED BY: MICHELLE L. MATHESON, CSR NO. 12358

# **ORIGINAL**

#### STATEMENT OF

I live in Mariposa. I'd like to strongly recommend the VERP process being continued and refined to allow for the court's objection to its lack of specificity. I'd like to suggest that if the biological resource in the quarter-mile section of the El Portal portion of the wild and scenic river proves to be too sensitive to allow a development crew within it, that we look at a Mediterranean village style, walk-in steep-slope village construction that Don Fox, who's a landscape architect in the park, had proposed in the original El Portal plan. A carless town development. Anyway, that we look at that again, if we have to stay out of the quarter mile zone.

#### STATEMENT OF

My name is I'm a resident of

Oakhurst in Madera County. It seems like we've all
been here before. Speakers over here. Court
reporter there. The red light, green light. But
there's something different. Across from me are
faces I recognize. Faces of those I've met on
different occasions in the last year to discuss and

address concerns in what has been called the Gateway Partnerships.

So here we are again, only different. This time
I am hopeful. Hopeful that the comments made in this
hearing will not disappear into a black hole in Idaho
never to be seen again. Hopeful that the commitment
to partnership made by this administration will
prevail. That the Gateway communities, campers,
hikers, climbers and groups like Merge and friends of
Yosemite Valley who are truly concerned about the
future of the Merced River and Yosemite Valley will
have an active role in the developing of the revised
Merced River plan.

Several of the recent park planning updates had a quote from John Muir on the front. "When we try to pick out anything by itself, we find it gets to everything else in the universe." And so it is with the Merced River plan. Carrying capacity leads to consideration over other things. Replacement of low impact and affordable campgrounds at Yosemite Valley and no less than 1,200 day-use parking spaces to make transportation alternatives truly alternative need to be a part of this planning process.

I call on our congressional members to pave the way with appropriate legislation for execution of the

secretary of the interior, Norton, (inaudible) as a part of this planning process; consultation, communication and collaboration in the service of conservation. Standing across the room from each other separated by procedures and regulations or judges and lawyers is not any of those things. We need your leadership, congressional leaders, to establish an environment that supports interaction over litigation as a communication tool.

I suggest that those who support or participate planning process for public planners get a copy of the Provincial Park Management Plan. It may not be a perfect model, but it is a start to a collaborative approach to preserving our public plans for future generations. Thank you.

#### BY STATEMENT OF

Thank you very much. I certainly appreciate the opportunity to be here. Much like Dan said a moment ago, we've all been here before. But again, things are different. I would like to express my distinct appreciation to Mike Tulson and his team, to Gary Ingram and the folks that we see sitting up front here because they've made such a difference in the way the Gateways have become united. This plan is

just beginning, but I'm starting to see a major improvement and a major connection so that we create a Yosemite experience for our visitors, not Gateway by Gateway. When they come into the park they are looking to go to Yosemite. They really don't care whether it's 120, 140 or 41. I believe by working together in this manner we will be able to create a much more exciting and perfect visitor experience.

Along with those things, in a carrying capacity that has been reviewed here as part of the Merced River plan, we must look at some of the most important things the visitors expect. Those are the use of campsites. The campsites along the Merced River is probably one of the most significant memories that many of our old-time Yosemite visitors have. Waking up in the morning and smelling a great pot of coffee your neighbor's put on, talking to those people. It's an incredible leveling experience. Your neighbor could be a congressman or it could be a person that cleans toilets at the local school. It is the leveling experience. It is a very significant and important experience. In order to make this experience available, the voluntary option of using private vehicles is very, very important. Therefore, the parking situation must be given great

consideration and not removed from accessibility.

I spoke at Congressman Radanovich's congressional hearing April a year ago. I would like to also invoke the same documentation that I presented there, and I will send that in as further testimony.

We talk about the ORVs and I think we must have the ORVs to also include the human experience that the visitor will receive and not just the things that we can repair or fix, as they are used much like my 1849 (inaudible) building. It has to be maintained and repaired because people use it. The park also has the obligation, and we want to share that responsibility with you. Thank you,

# STATEMENT OF

My name is well-known Californian and I'm here on behalf of Sugar Pine Ranch and a long-time resident of the area.

First of all, I want to thank the superintendent and every one of his staff here today and others who couldn't make it for the great work that we've been doing to build collaboration within the Gateway communities and with the park. I think that's a tremendous improvement and I think it goes a long way towards what I'd like to say here. I'm going to read

to you very quickly because I have a lot to cover in the short period of time. Central to your efforts of the managed visitor use and develop lands and facilities and protect resources within the river corridor, we suggest the following three things:

One, personal vehicles in the campgrounds. There has been much discussion on the subjects of personal vehicle parking and numbers of campgrounds, campsites and we are still of the opinion that the plan unfairly and inappropriately favors commercial address and other Gateway corridors. Assuming the demographic average visitation and hours of day and not days or the weeks is right, is it why the national park was set aside? Our community, due to the unique road and economic conditions, caters to visitors in private vehicles wanting a more intimate park experience. We believe that this is why in the first place Yosemite National Park was created. We urge you to reconsider space for more private vehicle parking and more campgrounds in the valley floor. Also, you need to consider the river boundaries open at least until, appropriate in the public's view, parking and campsite issues are resolved.

My second point, the visitor experience and resource protection, VERP framework model. After

much discussion and study concerning VERP, we do not feel comfortable with its adoption and reason for ignoring the issues mentioned above. Aside from our main points, the use of the term outstandingly remarkable values suggests to us a deception. We know this is not the intent but this term or phrase functions more than not to significantly reduce the readability and the comprehensibility of the written plan. And I ask why. The framework or model implies an answer which in our opinion cannot be delivered. First example, measurement points are highly subjective and in many instances offer the public no assistance of a valid report card. The VERP is a long-range planning tool and does not deal with the issues of day-to-day management in terms of closures, over crowding, gridlock, those kinds of things. need to see more real time information in the planning managing process.

As far as user capacity goes, yes, we agree that there's a major issue here. But I think one of the issues is that one of the most important decisions we need to hear is the park business model, which we're not hearing, and that is the commercial goals derived from the sources. Yes, it's critical to consider resource protection equally important. However, it's

the business model being implemented. It's one of maximizing concession revenues. Or is it of minimizing resources or is it a balance act? We do not see the balancing point in your plans. Please include that information. Thank you.

#### STATEMENT OF

Good evening everyone. My pleasure to be here.

I'm and I'm a 30-year resident of the

Gateway community called Bass Lake. I'm also a

family member of the visitor bureau there and I

manage a resort business. I'd like to share thanks

also to the superintendent and the staff for this

event. But not only this event, but the spirit of

collaboration and communication as developed over his

tenure. I've gone through quite a few

superintendents over the years and we've tried in

many, many ways and we're very, very pleased with the

direction of things.

The court identified the plan had two deficiencies and I'd like to address the one related to user capacity, and it relates to my primary concerns. And they're very simply accessibility and affordability.

The park needs to be accessible to a wide range

of people. It needs to be convenient. It needs to be affordable. And it needs to be compatible with the economic issues of Gateway communities. To that end, we support HR Bill 27015, but it pushes the idea of partnership with Gateway communities.

And we support the inclusion of two very important things in the plan. One is the restoration of low impact and affordable campgrounds in the valley. The plan talks about ORVs. I would like to also state camping in the valley can be an outstandingly remarkable experience and I think that's where we really need to be focused.

Also, we support maintaining adequate day-use parking spaces at least to the tune of 1,200, but this would allow for more convenient use by day users. And day users are our customers. They're the residents of surrounding communities. And to a large degree, they're the citizens of our state. If access is not affordable and convenient, visitation will decline further and cause more economic hardship in the Gateway communities and unnecessarily restrict the public's freedom of access to enjoy their park. Thank you.

STATEMENT OF

Thank you. I'm , Executive Director of the Tuolumne County Visitors' Bureau and a proud member of Yosemite Gateway Partnership. And I also want to thank our superintendent and all the staff responsible for this opportunity.

As a destination marketing organization for Tuolumne County and the Highway 120 Gateway, we support the efforts of Congressman Radanovich to restore campgrounds and to increase parking in Yosemite Valley. This is in response to the current scoping process for determining user capacity on the Merced River corridor. On our Gateway of highway 120, the visitor experiences Yosemite by way of personal auto or recreational vehicle. For our guests, freedom of access, quality campsites and adequate parking will likely determine their decision to revisit the Yosemite region and in some cases whether or not they visit at all. The idea would be to restore campsites in Yosemite Valley to pre-1997 flood levels and to restore parking to at least the 1,200 day-use spaces. Limiting private vehicles in Yosemite Valley at a time when visitation at most national parks is down, not up, simply doesn't make sense. Failure to provide a quality experience in

those under-the-stars and under-the-trees type of accommodations can only add to the dropping visitation.

In Tuolumne County alone, the economic impact from tourism is over 200 million dollars and the combined economic impacts for the Gateway is many times that number. The planning efforts which are ongoing affect the economic and social well-being of our Gateway communities, but they also have far reaching affects. They have an affect across the nation and our friends around the world who come to California and they have Yosemite National Park in the top three designations they hope to visit. Thank you.

# STATEMENT OF

Thank you for the opportunity to offer my concerns and suggestions for addressing user capacities for the Merced River zone of Yosemite Valley. After participating in several Gateway Partnership meetings with park staff, I believe that the Yosemite community is embarking on a new spirit of cooperation and mutual trust. Hopefully, this will lead to a more balanced and common sense approach to visitor access as well as availability of

the resources for the enjoyment of Yosemite Park.

An issue that is critical to maintaining this balance is parking. I propose no further reductions in parking in Yosemite Valley. The automobile is the cleanest, safest, most economical, as well as the most desirable mode of transportation available to a visitor. A minimum of 1,200 day-use parking spaces should be available.

Camping is part of the heritage of Yosemite. For generations families have enjoyed camping along the Merced in Yosemite Valley. The valley offers the perfect camping experience: Mild climate at the 4,000 foot elevation, the river experience as well as close proximity to valley sites and interpreted programs. Camping for many is the only affordable means to spend extended time in their park. Many families just cannot afford lodging in Yosemite. With about 95 percent of Yosemite's designated wilderness, it seems a small sacrifice to allow families continued use of the campgrounds along the Merced.

I propose restoring the campgrounds lost to the '97 floods in Yosemite Valley. Both parking and camping are elements of the park's user capacity management program as outlined in park documents

listed on the NPS website under facility limits, therefore, should be considered the decisions affecting the revised Merced River plan.

Gateway communities provide many services for the Yosemite visitor that may not be available in the park. Great care should be taken to involve the park's neighbors in planning and decision making. The business communities surrounding the park have a vested interest in the preservation and sustainability of Yosemite's resources as well as the economic vitality of the region. The level of visitor experience is dependent not only on the products available within the park boundaries but overall regionally. Gateway communities that serve the park visitor are an integral part of the whole Yosemite experience. I urge the park service as well as our federal legislators to consider common sense approaches to park management. Approaches that are not overly restrictive and provide for an affordable, easily accessible national park.

Please continue to work with neighboring communities to help ensure a quality experience for the park visitor and a sound local economy.

STATEMENT OF

My name is . I come from Santa Monica, California. I'm a co-founder of Yosemite Valley Campers' Coalition. I'm here to speak on behalf of campers. A round estimate may be 20 million. I don't know if there's another camper here. We have two traditions in our family and I represent four generations of campers. We go to Yosemite. We go to Bass Lake. It's a standard tradition started back in the '20s or '30s with my grandfathers.

First on process. Why don't you have a hearing in southern California? Why are you not down there? San Diego is still part of California. Los Angeles is still part of California. The greatest visitor you have in the park are western visitors. The greatest proportion of visitors you have are campers. When you made the 1980 management plan, you had a database. You didn't reach out to campers. You reached out to concession users. Today, you still do that. You have a database. You control the reservation system. There's no survey, but you do send a postcard for a \$5,000 bear fine if you get caught with your food out.

The hearing you had yesterday -- excuse me -- the

open house you had yesterday in the valley, I went back and looked on our campground board. There was no notice. You have a list of all the activities for the month. There was no mention of the open house. Campers would maybe drop in to give you their opinion if they really knew. But I think the park service is afraid of the campers if they all were notified, because at some open houses you've had previous plans. In Pasadena there were many people there and they're all basically saying the same thing, as Mosley mentioned about who camps.

I left a federal judge in my campground today and I told him I was going to a meeting and he told me I was out of my mind.

There is no better experience in our family then camping by the Merced River. I may say that again. There is no better experience in our family then camping by the Merced River. When we bring little ones, we want to watch them by the river. We grew up with a bay area family. Three generations back, we've been to weddings, funerals, you name it, all because we went floating in that river together. I cannot believe that the root evaluation can be a scientific approach in determining visitor capacity. There has to be a bigger picture. River campgrounds

have to be improved and maintained. They've never been maintained. Campers have just dealt with whatever's there. The trails are not maintained. Where is the extra \$10 of gate fees. You take two million people times ten bucks. Where does that money go to the camper?

There's nine levels of visitation in the park.

The worst one is day use. The second one is camping.

After that, it's all pay for fee. So I believe you have a real problem that you've left out. You have a disenfranchised group called the campers. And they're not part of the plan. And they haven't been part of the plan since any management plan. And you have a lot of homework to do. Thank you.

# STATEMENT OF

My name is I'm with Friends of

Yosemite Valley. And I really appreciate the public

participation today and the ability to have that. I

think that our public conversation and participation

is key into getting a good plan into what we're doing

for Yosemite and, you know, we sure would like to

have more input, more discussion and more

Opportunities like that.

In that light, I'm really interested in what

other members of the public have to say and I would really urge the park service to publish the comments as soon after the scoping period -- the scoping comments that -- you can put it on CD or whatever, up on the website. Probably CD. So all of us can see what everybody else said. I think that's really critical, and other members of the public who aren't directly participating.

The park service is inappropriately narrowing the scope of scoping and so I urge the public to -actually, scoping is supposed to be bringing in ideas and broad and focused, of course, on the plan and what we need for the river plan. So I urge the public to go broad and not narrow and the park service to broaden their viewpoint. In the planning process, I urge that the park service focus on making it outstandingly remarkable values based -- and it's easy to get lost in this very big and complicated planning process and then focus on what we're doing, which is mandated by the wonderful Wild Scenic River Act that we're really lucky to have, which is really going to protect a few rivers in this country, Merced being one of them, which I bet everybody here really loves and knows well.

I'm really concerned about the equity issue and

we've made many comments and probably just about every comment in every plan since 1997 regarding that. In 1997, the National Park Service closed 40 percent of the camping in Yosemite Valley. That's really huge. At the same time the park service has from multiple funding sources -- intends to build new motels and put more money into -- whether it's from the park service or via the concession back to the park service into upscaling and upgrading. So this is monetarily making it more expensive, shutting out the average family on top of the reduction in camping. And there was no opportunity for the public to comment on that removal of those 40 percent of the campgrounds in Yosemite Valley. That needs to be opened up for public comment in the draft valley plan.

And basically, we want access for the public and for us, for everybody, based on modest accommodations and based on the experience and the experiences of the valleys from which Yosemite and the river will save. Thanks.

# STATEMENT OF

I want to thank all who came tonight. They're on their own dime and on their own time. And I was more

than happy to thank the National Park Service when they prioritize the protection of the natural resources. My wife is not here but I'd like to contribute what she thinks is an ORV, and that's fundraising.

My comments are going to center on process. Many comments have already been put on the public records by others documenting that the National Park Service has violated the spirit and the legal requirements of the Wild and Scenic Rivers Act and the Organic Act. Therefore, my comments will focus on the need to change the process. Unless the process institutionalizes integrity and all stakeholders have a role in scoping, planning, decision making and monitoring, it will fall short of developing a plan that will protect the Merced River and Yosemite.

At the heart of the problem is that Congress has made it law that government agencies have the ultimate decision-making authority. Though touted as an environmental safeguard, NEPA was designed primarily as an information-producing statue. One that also created a procedural framework to introduce public participation into arenas where it had been absent. But in the end NEPA awarded final discretion to the agency and any judicial review merely focuses

on procedural compliance, such as time. In other words, the National Park Service is required to solicit public comments. Those comments are then turned over to an agency within the forest service to be categorized and quantified. And as long at park service can show they considered the comments so as not to be accused of acting arbitrarily and capriciously, those comments can then be summarily dismissed. To be blunt, the park service has the legal right to ignore all public comments that fail to support their predetermined position.

One need only look at the hundreds of tree stumps and the ugly, yes ugly, Yosemite Falls bus stop to know that the park service has sold out to special interests. The Organic Act makes it clear, protect the resources unimpaired. Unimpaired being the key word. Recognizing that the process is flawed, our only hope in the months ahead is that we, the public, can present enough truth and supporting information to light a fire among those park personnel who truly care about Yosemite so that they in turn will have the courage and the commitment to aggressively lobby local park administrators, as well as those in D.C., to enact real protection.

I'll end with a thought provoking question that

was asked of us by a 30-year park ranger scientist:
"If you could start over, what would you put in
Yosemite Valley."

#### STATEMENT OF

Thank you. I'm . I'm the district director for Senator Dianne Feinstein. I just had a quick comment. I've met most of you that are here today. And in the summation of what the national park does, I truly hope that you do what the folks that have lived in the valley for three, four, five generations and the visitors who have come for three, four, five generations, take everything they have into consideration. I know many of the guidelines are not really drawn into stone of how to define what wild and scenic is on certain areas of the river. Although there are definitions.

It is important to the senator that everybody gets their word and those generations are heard. She is an avid camper. She loves it. And if -- I won't say that they should be restored, but every consideration should be made for restoration of camping in the valley. It's very important that these experiences remain open. If it's not capable of being done, that could be understood as well. But

it's more of a comment of considering all aspects, which you are doing, and I appreciate that. Thank you.

(Whereupon, the public hearing concluded at  $8:00\ p.m.$ )

#### REPORTER'S CERTIFICATE

I, MICHELLE L. MATHESON, a Certified

Shorthand Reporter of the State of California, do
hereby certify that said proceedings was taken at the
time and place therein named; that the testimony of
the said parties was reported by me, a disinterested
person, and thereafter transcribed into the foregoing
pages.

In Witness Whereof, I have hereunto set my hand and affixed my signature at my office in Fresno, California, this 30 th day of Avers, 2004.

MICHELLE L. MATHESON, CSR 12358